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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 409 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HARENDRA SINGH JASWANT SINGH PARMAR

Versus

20TH CENTURY FINANCE CORPORATION LTD.

Appearance:

1. Appeal from Order No. 409 of 1998

MR MA PANWALA for Appellant

MR NK MAJMUDAR for Appellant No.

DR MAHESH THAKAR for Respondent No. 1

MS MONA N TRIVEDI for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 10/01/2005

ORAL JUDGEMENT

1. The appellant original plaintiff has preferred this Appeal from Order against the order dated 03/08/1998 passed by the learned Civil Judge (S.D.), Vadodara, below

Exh.5 in Special Civil Suit No.281 of 1998, whereby the plaintiff was directed to maintain status quo position of the disputed truck till the final disposal of the suit.

2. While admitting this Appeal from Order, this Court in Civil Application No.7725 of 1998 had granted ad-interim relief in terms of Para 4-(B) of the petition by which the aforesaid order was stayed.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the appellant is directed to make an application for expediting the hearing of the said Suit.

4. Therefore, without entering into the merits of the matter, the appellant is directed to make an application for expediting the hearing of Special Civil Suit No.281 of 1998 pending before the Court of the learned Civil Judge (S.D.), Vadodara. On receipt of the said application from the appellant, the trial Court shall hear and dispose of the said Suit as expeditiously as possible.

5. With the above observations and directions, this appeal from order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
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